



City Manager's Office
City of Frisco, Texas

Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

Cc: George A. Purefoy, City Manager
Richard Abernathy, City Attorney

From: Henry J. Hill, Deputy City Manager

Date: October 15, 2009

RE: Consider and Act on an Ordinance repealing Ordinance No. 00-01-11 and amending Ordinance No. 09-04-25 (Code of Ethics).

Action Requested: The purpose of the proposed Ordinance is to:

Repeal Ordinance No. 00-01-11 in order to clearly establish the recently adopted Ordinance No. 09-04-25 as the City of Frisco's Code of Ethics; and

Revise Part B, Section 2 (b) (4) of the Code of Ethics to remove the requirement that a Council Member or Board Member must leave the room when they have a conflict regarding a matter before the Council or Board. This Section currently states that the Council Member or Board Member must remove himself from the area where action is being taken, which is inconsistent with the rest of the Code of Ethics.

Background Information: It was recently observed that there was a need to revise Part B, Section 2 (b) (4) of the Code of Ethics because it still required that Council Members and Board Members leave the room in the event of a conflict. When the City Council revised the entire Code of Ethics in April 2009, it was decided to remove that requirement, and only require that the Council or Board Member leave the dais or area where the action on the matter is being taken. This language in the amendment to the Code of Ethics is proposed so that this Section will be consistent with what the Council had voted on back in April.

In the process of preparing this revision, it came to our attention that the previous ordinance adopting the original Code of Ethics, Ordinance No. 00-01-11 was not

repealed at the time when Ordinance No. 09-04-25 was adopted. Ordinance No. 09-04-25 stands alone as the Code of Ethics, and for future use and clarity, it is recommended that the Council repeal Ordinance No. 00-01-11. In addition, in the event the Code of Ethics needs to be amended in the future, this will make the process much cleaner.

Board Review/Citizen Input: N/A

Legal Review: The proposed revisions were prepared by the City Attorney's Office

Supporting Documents: Proposed Ordinance.

Staff Recommendation: Recommend approval.